

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA,

CASE NO. 22-60028-CR-DIMITROULEAS

Plaintiff,

vs.

LUKE JOSELIN,


Defendant.

ORDER

THIS CAUSE is before the Court on Non Party Kabbage, Inc.'s Motion to Quash Subpoena [DE-28], and the Court having considered the motion and being otherwise fully advised in the premises, it is hereby

ORDERED AND ADJUDGED that the Motion [DE-28] is Denied. Corporations do not have 5th Amendment rights. *Eagle Hosp. Physicians, LLC v. SRG Consulting, Inc.*, 561 F. 3d 1298, 1303 n. 2 (11th Cir. 2009) *citing*, *Braswell v. U.S.*, 487 U.S. 99, 102 (1988). There is not even an allegation that this is a one-person corporation, *see, U.S. v. Stein*, 2021 WL 3129628 * 4 (S.D. Fla 2021). The Government has the burden to prove the criminal charges, beyond a reasonable doubt; no good cause has been shown to require them to "tie one hand behind their back".

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida, this 3rd day of June, 2022.


WILLIAM P. DIMITROULEAS
United States District Judge

Copies furnished to:

Counsel of Record